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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/742,919

12/23/2003

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EXAMINER

DUONG, TAI V

ART UNIT

PAPER NUMBER

2871

MAIL DATE

DELIVERY MODE

04/15/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/742,919	<b>Applicant(s)</b> LEE ET AL.	
	<b>Examiner</b> TAI DUONG	<b>Art Unit</b> 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 5-8 and 14-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 9-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

Claims 5-8 and 14-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 08/25/05.

The new drawing sheet containing Fig. 7 has been disapproved because the addition of the element 301 to the original Fig. 7 raises the issue of new matter. Nowhere in the original disclosure does it disclose the support *for the metal pattern 301 surrounding the seal 310*, as shown in the amended Fig. 7. It is noted that the Brief Description of the Drawings states "FIG. 7 is a layout illustrating an IPS mode LCD device using a UV-hardening sealant according to the first embodiment of the present invention;" and "FIG. 8 is a cross-sectional view illustrating an IPS mode LCD device taken along line III-III' of FIG. 7 using a UV-hardening sealant according to the first embodiment of the present invention;" (specification, page 11, paragraphs 40-41). Figs. 7-8 are *consistent* with each other and *consistent* with the Brief Description of the Drawings and the Detailed Description Of The Invention (paragraph [0046]) because both Figs. 7-8 do *not* show the metal pattern 301. The Brief Description of the Drawings regarding Fig. 9 is *not* consistent with Fig. 7 because Fig. 7 (the plane view) does *not* have the metal pattern 301.

The amendment to the specification, paragraph [0040], filed on 12/21/2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The deletion of the phrase "the first embodiment of " in paragraph [0040] raises the issue of new matter because it *implies* that Fig. 7 is a layout

illustrating an IPS mode LCD device using a UV-hardening sealant according to the first and *second* embodiments.

Applicant is required to cancel the new matter in the reply to this Office Action.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the recited feature “wherein the metal pattern *completely overlaps* the UV-hardening sealant and is formed at *four edges* of the first substrate” of claims 1 and 9 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the specification does *not* disclose the feature “wherein the metal pattern *completely overlaps* the UV-hardening sealant and is formed at *four edges* of the first substrate”, as recited in claims 1 and 9.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-4 and 9-13 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the invention(s), at the time application was filed, had possession of the claimed invention. Nowhere in the original specification and the drawings does it disclose an IPS mode LCD device wherein “the metal pattern *completely overlaps* the UV-hardening sealant *and* is formed at *four edges* of the first substrate”, as now recited in claims 1 and 9. Claims 2-4 and 10-13 are also rejected since they depend on claims 1 and 9.

#### Response to Applicant's Remarks

With respect Applicant's remarks regarding the statements in paragraphs [0054] and [0057] “Also, the metal pattern 301 is formed of the same material as a gate or data line of the IPS mode thin film transistor array, and is formed below the UV-hardening sealant 310 for reflecting the UV ray” and “...the metal pattern 301 are

formed of the same metal, and the metal pattern 301 corresponds to the UV-hardening sealant 310.”, Moon et al (US 2003/0081155) of record also disclose that the metal pattern 340 is formed of the same material as a gate ( last four lines of paragraph 0063) and is formed below the UV-hardening sealant 310 (Fig. 11B). However, the metal pattern 340 of Moon is not formed at four edges of the first substrate 300, as apparent from the *plane view* of Fig. 10A. As to the term “corresponds to”, this term has been interpreted as “be equivalent in location (position)”. It is apparent from Figs. 10A and 11B of Moon et al that the metal pattern 340 also *corresponds to* the UV-hardening sealant 310 at the two edges of the first substrate 300. However, the metal pattern 340 of Moon is still not formed at four edges of the first substrate 300, as apparent from the *plane view* of Fig. 10A. Also, see the examiner’s remarks in the above paragraph regarding the new drawing sheet containing Fig. 7. Thus, the original specification and the drawings of the instant application do not disclose an IPS mode LCD device wherein “the metal pattern *completely overlaps* the UV-hardening sealant *and* is formed at *four edges* of the first substrate”, as now recited in claims 1 and 9.

In addition, it is noted that the arrangements of the metal pattern 100 and the sealant 105 of the Related Art Fig. 3 of the instant application are *similar* to the arrangements of the metal pattern 301 and the sealant 310 of the instant Fig. 9. However, the metal pattern 100 is not formed at four edges of the first substrate 1, as apparent from the *plane view* of the instant Related Art Fig. 2.

Applicant's arguments filed on 12/21/2007 have been fully considered but they are not persuasive for the above-mentioned reasons.

Claims 1-4 and 9-13 will be allowed over the prior art of record if the rejection under 35 U.S.C. 112, first paragraph, is overcome.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

TVD  
04/08

/Dung Nguyen/  
Primary Examiner, Art Unit 2871

<div>Application Number</div> <div></div>	Application/Control No.	Applicant(s)/Patent under Reexamination	
	10/742,919	LEE ET AL.	
	Examiner	Art Unit	
	TAI DUONG	2871	